

**CITY OF MILPITAS PLANNING COMMISSION
FINAL AGENDA FOR JANUARY 24, 2007
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under three minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** January 10, 2007
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

IX. PUBLIC HEARING

- 1. USE PERMIT NO. UP2006-22 AND "S" ZONE NO. SZ2007-1:** A request for a 101-unit affordable apartment project in three, four-story buildings located on 2.69 acres at 1666 South Main Street (APN: 086-22-023), zoned Multi-Family High Density Residential (R4-S). The Use Permit application requests a reduction in the number of required parking spaces for residents and guests, crediting on-street parking spaces as guest parking, modifications to required building setbacks from public streets and reduction in private open space. Applicant: Global Premier Development, Inc. Staff Contact: Cindy Maxwell, (408) 586-3287. (PJ# 3199) *(Recommendation: Close the public hearing, continue to a date uncertain and readvertise)*
- 2. "S" ZONE AMENDMENT NO. SA2007-2 AND USE PERMIT AMENDMENT NO. UA2007-1** *(Continued from January 10, 2007):* A request to amend special condition No. 50 to reflect a storm water connection fee for the ten acre Piercey Toyota project rather than the entire sixteen acres owned by Santa Clara County. The project is located at 950 Thompson Street (APN: 086-05-026) zoned General Commercial, (C2). Applicant: City of Milpitas. Staff Contact: Cindy Maxwell, (408) 586-3287. (PJ#3203) *(Recommendation: Approve the revision of Special Condition No. 50 relating to the calculation of storm water connection fees)*

3. **USE PERMIT NO. UP2006-23:** A request for a coffee café (Peet's Coffee and Tea) to occupy an approximate 1,600 square foot tenant space within the existing Town Center Shopping Center, adjacent to the Safeway supermarket. The project includes 26 indoor seats and six (6) outdoor seats. The proposed café is located at 543 E. Calaveras Boulevard (APN: 028-12-019), zoned Town Center (TC). Applicant: Jeff Haywood with Peet's Coffee and Tea. Staff Contact: Kristine Lowe, (408) 586-3278. (PJ# 2468) *(Recommendation: Approve with Conditions)*
4. **"S" ZONE AMENDMENT NO. SA2006-62:** A request for a sign program and a 4-foot high double-sided monument sign for the Calaveras Plaza. The property is located at 750 E. Calaveras Boulevard (APN: 086-29-079), zoned Industrial Park (MP). Applicant: Mike Strouse with Midway Signs. Staff Contact: Kristine Lowe, (408) 586-3278. (PJ#2470) *(Recommendation: Approve with Conditions)*
5. **USE PERMIT AMENDMENT NO. UA2006-10:** A request to allow an existing restaurant (La Sierra Mexican Restaurant) to serve all types of alcoholic beverages, increase operating hours and provide live entertainment and dancing located at 420 South Main Street (APN: 086-40-001), zoned Mixed-Use (MXD). Applicant: Gabriel Zavalza. Staff Contact: Kristine Lowe, (408) 586-3278. (PJ# 2469) *(Recommendation: Approve with Conditions)*
6. **TIME EXTENSION NO. TE2006-2:** A request for a one time 18-month time extension for a previously approved mixed use development which includes 93 residential condominium units and approximately 2,633 sq. ft. of commercial space located at 230 N. Main Street (APN's: 028-24-017, and 028-24-018), zoned Mixed-Use (MXD). Applicant: Apton Properties. Staff Contact: Cindy Hom, (408) 586-3284. (PJ# 3144) *(Recommendation: Approve with Conditions)*
7. **USE PERMIT NO. UP2006-21 AND "S" ZONE AMENDMENT NO. SA2006-66:** A request to locate a roofing contractor's office and yard with minor site modifications located at 182 Topaz Street (APN: 086-39-033), zoned Heavy Industrial (M2). Applicant: Blue's Roofing Company. Staff Contact: Cindy Hom, (408) 586-3284. (PJ # 2467) *(Recommendation: Approve with Conditions)*

X. ADJOURNMENT

Any person aggrieved by any final decision of any, board, commission, or department head to the City of Milpitas may appeal the decision to the City Council by filing written notice of the appeal with the City Clerk within twelve (12) calendar days of the date of said decision and paying the required fee. This time limit shall be strictly enforced.

THE NEXT PLANNING COMMISSION MEETING IS February 14, 2007

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Larry Ciardella-regular member, Sudhir Mandal-regular member, Gurdev Sandhu-alternate member) of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. The project reviews are held at 6:30 P.M. on Planning Commission meeting nights, in the City of Milpitas Committee Conference Room First Floor, 455 E. Calaveras Boulevard.

- a.** There being no items for consideration, the Planning Commission Subcommittee meeting is canceled.

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review. **FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE OPEN GOVERNMENT COMMISSION**

at the City Attorney's office at the Milpitas City Hall, 455 E. Calaveras Blvd, Milpitas, CA 95035.

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A free copy of the Open Government Ordinance is available from the City Clerk's Office or by visiting the City's website www.ci.milpitas.ca.gov Select Open Government Ordinance under News Features